

REMARKS

Claims 1-14 were pending in the application. Applicant has amended claims 1, 8, and 14, deleted claims 3 and 10, and added claims 15-19. Claim amendments have been made for purpose of setting the claims in better form and are solely provided to improve clarity and not directed to the rejection under 35 U.S.C. Section 103. Claims 1, 2, 4-9, 11-19 are now pending.

For the reasons set forth more fully below, Applicant respectfully traverses the Examiner's objections and rejections. Reconsideration and allowance in view of the foregoing amendments and the following remarks are respectfully requested.

Drawings

The Examiner has objected to Figure 2 under 37 CFR 1.83(a) because this figure does not show items LMES site 8, Business Entity 4, and CRM site 20. Figure 2 has been amended to show items 8, 4, and 20. In addition, the Examiner has objected to Figure 4 under 37 CFR 1.83(p)(4) because of reference character 36. Figure 4 and the corresponding section of the specification have been amended to replace reference character 36 with 36a. Marked up changes to these drawings are shown in red ink as attached. Withdrawal of these objections is respectfully requested.

Double Patenting

The claims stand provisionally rejected under the judicially created doctrine of obviousness-type double patenting as being unpatentable over claim 1, 2, 4, 12, 13, 17, 19, 23, 24, and 28 of copending Application No. 09/494,813. In view of the claim amendments made herein, Applicant requests withdrawal of this rejection.

Claim Rejection

The Examiner has rejected claim 1 under second paragraph of 35 U.S.C. §112. Applicant has amended claim 1 in this Reply and requests reconsideration and withdrawal of this rejection.

Rejections of Claims 1-14 Under 35 U.S.C. Section 103(a)

The Examiner rejected claims 1-14 under 35 U.S.C. Section 103(a) as being unpatentable over an article entitled “Wireless Internet give auto industry the buzz” (“Wireless Internet”) in view of a second article entitled “InfoGation Corp. Introduces Productivity, Navigation, Safety and Communication Software Applications for Next-generation Smart Car Systems” (“InfoGation”). Applicant herein has amended claims 1 and 8 to more clearly claim Applicant’s invention and is not directed to the rejection under 35 U.S.C. Section 103.

Amended independent claim 1 now reads (with emphasis added):

1. (Amended Once) A method of providing through an electronic medium a medical log of a customer on a telematics device included in a vehicle, the method comprising:
presenting, on the telematics device of the vehicle, to the customer through the electronic medium a virtual garage having communication links to a plurality of telematics service providers;
requesting, from the telematics device of the vehicle, the medical log of the customer from the virtual garage;
transmitting the medical log of the customer from the virtual garage to the telematics device of the vehicle, wherein the medical log is obtained from the virtual garage and the plurality of telematics service providers;
storing the medical log in an on-board database associated with the telematics device of the vehicle; and
retrieving the medical log of the customer from the on-board database during a medical roadside emergency.

Amended claim 1 is now directed towards a method of providing a medical log of a customer using an on-board database associated with a telematics device of a vehicle during a

medical roadside emergency. Applicant submits that neither Wireless Internet and InfoGation teaches or discloses the presently claimed invention. Further, there is no suggestion or motivation in either Wireless Internet or InfoGation to be combined with each other to disclose Applicant's claimed invention.

First, amended claim 1 now requires (1) "transmitting a medical log of the customer from the virtual garage to the telematics device of the vehicle," (2) "storing the medical log in an on-board database associated with the telematics device of the vehicle," and (3) "retrieving the medical log of the customer from the on-board database during a medical roadside emergency." The claimed invention is directed towards a method and system for providing emergency personnel immediate access to the most up-to-date medical information of the customer during a medical roadside emergency. Applicant submits that neither Wireless Internet nor InfoGation discloses these limitations, alone or in combination. For example, there are no teachings in Wireless Internet or InfoGation that a medical log is transmitted to the telematics device of the vehicle, stored therein, and then retrieved therefrom during a medical roadside emergency.

Wireless Internet simply discloses providing services such as "Internet access, direction-finding and vehicle location" and fleet management solutions. (See page 2). There is no teachings or suggestions whatsoever in Wireless Internet that a medical log of a customer is transmitted, stored, and retrieved from an on-board database associated with the telematics device of the vehicle. There is no suggestion at all in Wireless Internet about providing services relating to medical emergencies, and in particular, providing a medical log of a customer during such circumstances.

Furthermore, InfoGation fails to cure the deficiencies of Wireless Internet. Simply put, InfoGation discloses “display maps, give turn-by turn directions, pinpoint car location, and calculate routes” (InfoGation Odyssey™), “access to traffic, news, and weather reports; stock quotes; e-mail and paging alerts” (InfoGation InfoFlash™), “enhancements to cell phones including: auto answer, callback, speed and sequential dialing” (InfoGation PhoneBase™), “summon emergency, roadside and information assistance through an operator” (InfoGation Assist™), and “ digital recording application which allows users to record voice reminders, messages, phone call and radio clips” (InfoGation Voice Memo™). Again, as in Wireless Internet, InfoGation fails to teach transmitting a medical log to the telematics device of the vehicle that is stored therein, and then retrieved therefrom during a medical roadside emergency.

Accordingly, Applicant submits that Wireless Internet and InfoGation fail to teach or disclose all of the elements required in claim 1. Further, Applicant submits that one skilled in the art would not have been motivated whatsoever to combine Wireless Internet with InfoGation to come up with the presently claimed invention.

Since independent claim 8 also includes the limitations set forth above, Applicant submits that this claim and the claims dependant on them (claims 2, 4-7, 9, 11-16) are allowable for the reasons set forth above.

Conclusion

In summary, Applicant submits that the cited references do not teach or suggest or render obvious Applicant’s claimed invention. Having fully addressed all objections and rejections raised

in the Office Action, it is believed that the application is in condition for allowance. Entry and consideration of the foregoing amendments are respectfully requested, and favorable action on the merits is earnestly solicited. If there are any questions regarding this application, Applicant's attorney requests an opportunity to discuss this case with the Examiner either in person or by telephone interview.

Respectfully submitted,
PILLSBURY WINTHROP, LLP

By 

Chang H. Kim

Reg. No. 42,727

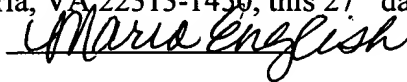
Tel. No.: (650) 233-4776

Fax No.: (650) 233-4545

Pillsbury Winthrop LLP
1600 Tysons Boulevard
McLean, Virginia 22102

CERTIFICATE OF MAILING (37 CFR 1.8a)

I hereby certify that this paper (along with any paper referred to as being attached or enclosed) is being deposited with the U.S. Postal Service, postage prepaid, to the Hon. Asst. Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, this 27th day of June, 2003.



Maria English



APPENDIX
VERSION WITH MARKINGS TO SHOW CHANGES MADE

IN THE SPECIFICATION:

The Specification is changed as follows: Page 18, last paragraph starting on line 20 [0060] to page 21 first full paragraph ending on line 13 [0063]:

RECEIVED
JUL 02 2003

GROUP 3600

Fig. 6 illustrates an embodiment of the present invention for telematics services in accordance with the preferred embodiment of the present invention. This embodiment can be used for emergency roadside data services and other on-board (automobile) services (e.g., grocery services) using telematics systems. In other words, the customer can access the telematics device 60 for on-board data applications for emergency roadside data services and other on-board (automobile) services (e.g., grocery services) using the LMES server 36a. The on-board data application can be implemented using a telematics device embedded in the vehicle 500 or other mobile telematics device such as a cellular phone 22, PDA 28, and the laptop computer 24.

In this particular embodiment, on board data application is provided to entities that provide telematics services to customers. Such entities include automobile companies such as GM or Ford or insurance companies such as AAA. The LMES server 36a can be thought of as a virtual garage for centralizing data from the various telematics service providers 62a...62n. The telematics service providers 62a...62n each includes a profile and preference setting software application for dynamically delivering updates and other data to the virtual garage 36a. These updates are then transmitted via an FM subcarrier network to the telematics device 60. These

updates can be transmitted as batch updates on an hourly, daily, weekly, or monthly basis.

Using the virtual garage 36a, telematics service providers 62a...62n, or combinations thereof, the customer can retrieve various data using the telematics device 60. For example, the customer can have access to route log (road conditions, road closure, detours, weather forecasts, conditions and warnings), insurance log (on-board data for insurance emergency contact and history), automobile log (on-board data for vehicle emergency contact and history), traffic log (incident reports, congestion information, average travel time, speed data), travel log (point of interest updates, lowest gas prices, parking space availability), medical log (on-board data for medical emergency contact and history), grocery log (lowest grocery prices, discounts and specials), and the like. The virtual garage 36a and the telematics service providers 62a...62n communicate with each other via the communication channel such as the Internet 6 to exchange, retrieve, and/or transmit information.

During an emergency roadside situation associated with the customer's vehicle 500, the customer can access the on-board database through the virtual garage 36a as discussed above. In all likelihood, the customer will use an on-board (vehicle) embedded device or other portable mobile device (e.g., PDA, cellular telephone, laptop computer) to obtain the pertinent information and/or to access the virtual garage 36a. The customer can then quickly and efficiently retrieve automobile, insurance, medical, weather, traffic, emergency contact, etc. information. Grocery information such as locations of lowest prices for particular items, discounts, and the like can be retrieved from the grocery log using the telematics device 60.

IN THE CLAIMS:

Claims 3 and 10 are deleted.

Claims 15-19 are added.

The claims are amended as follows:

1. (Amended Once) A method of providing through an electronic medium a medical log [personalized information to] of a customer on a telematics device included in a vehicle, the method comprising:

presenting, on the telematics device of the vehicle, to the customer through the electronic medium a virtual garage having communication links to a plurality of telematics service providers;

requesting, from the telematics device of the vehicle, the medical log of the customer [personalized information] from the virtual garage; [and]

transmitting the medical log of the customer [personalized information] from the virtual garage to the telematics device of the vehicle, wherein the [personalized information is originally] medical log is obtained from the virtual garage and the plurality of telematics service providers;

storing the medical log in an on-board database associated with the telematics device of the vehicle; and

retrieving the medical log of the customer from the on-board database during a medical roadside emergency.

8. (Amended Once) A system for providing through an electronic medium a medical log

[personalized information to] of a customer on a telematics device included in a vehicle,

comprising:

means for presenting, on the telematics device of the vehicle, to the customer through the electronic medium a virtual garage having communication links to a plurality of telematics service providers;

means for requesting from the telematics device of the vehicle, the medical log of the customer [personalized information] from the virtual garage; [and]

means for transmitting the medical log of the customer [personalized information] from the virtual garage to the telematics device of the vehicle, wherein the [personalized information is originally] medical log is obtained from the virtual garage and the plurality of telematics service providers;

means for storing the medical log in an on-board database associated with the telematics device of the vehicle; and

means for retrieving the medical log of the customer from the on-board database during a medical roadside emergency.

14. (Amended Once) The [method] system of claim 8, wherein the personalized information is transmitted from the virtual garage to the telematics device using an FM subcarrier network.